IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2254 OF 2005

Mahapurush Co-operative Housing Society (Proposed)... ... ... Petitioner.

Versus

The Municipal Corporation of Greater Mumbai & Ors. ... ... Respondents.

Mr. Y.S.Jahagirdar, Sr. Advocate with Mr. K.R.Dhanuka for the Petitioner.
Ms. A. Joshi for Respondent Nos.1 & 2.
Mr. A. S. Khandeparkar with Mr. Ashutosh Khandeparkar for Respondent Nos.3,4 & 5.

CORAM: DALVEER BHANDARI, C.J. &
S. J. VAZIFDAR, J.

DATED : SEPTEMBER 23, 2005.

P.C. :

Learned Counsel for the petitioner has drawn our attention to the representation dated 27th August, 2004 sent to the Assistant Commissioner (Estate), Mumbai Municipal Corporation, Chatrapati Shivaji Mandai, 2nd Floor, Mahatma Fule Mandai,

Mumbai – 400 002. According to the petitioner, it has not received any reply to the said representation. We, therefore, direct respondent Nos.1 and 2 to dispose of the petitioner's representation by a reasoned order, after affording hearing to the petitioner, as expeditiously as possible, and in any event within four weeks from the date of receipt of this order. To avoid any delay, we direct the petitioner to appear before respondent No.2 on 28th September, 2005 at 11.00 a.m.

2. Learned Counsel appearing for respondent Nos.3, 4 and 5 submits that construction is already in progress, however, the respondents shall not claim any equity, if ultimately the matter is decided against them.

3. No further directions are necessary. This petition is, accordingly, disposed of.

Sd/-

CHIEF JUSTICE

Sd/-

S. J. VAZIFDAR, J.